

Band secured 2nd place in the New Jersey State Finals, along with awards for the best trumpet section and rhythm section in the State. Additionally, the band has received a Superior Rating at every festival they have performed in. The members of the Spring 2000 Jazz band are: Zachary Andrews; Frank Cuccio; Kristin Cuccio; Julia DePasquale; Anthony DiDomenico; Steven Engel; Eli Ferrer; Steven Forrest; Tim Gerard; Rob Hill; Christine Hinton; Rich Johnson; Ken Juray; Brian Kilpatrick; Nathan Kranefeld; Joe Lucidi; Jim MacKenzie; Ben Markowitz; Corey Mossop; Louis Muzyczek; Dominic Natale; Jeff Rivera; Rich Slack; Ernest Stuart; Perry Sutton; Vincent Williams. I wish you all the best and continued success in your endeavors.

#### INTRODUCTION OF THE ROUND II EZ/EC FLEXIBILITY ACT

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 26, 2001*

Mr. CAPUANO. Mr. Speaker, I rise in support of Round II EZ/EC Flexibility Act of 2001, bipartisan legislation I introduced yesterday with my colleague from New Jersey, Mr. LOBIONDO.

The bill we introduced makes a number of small changes to the EZ/EC program that will provide these communities with greater flexibility in administering their economic development plans. Specifically, the bill authorizes \$100 million in appropriations for each of the fifteen urban Empowerment Zones, \$40 million for each of the five rural Empowerment Zones, and \$3 million for each of the twenty rural Enterprise Communities.

The legislation also ensures that Empowerment Zones and Enterprise Communities that apply for one of the new Renewal Community designations will continue to receive the EZ/EC funding they were promised in 1999. Finally, the bill allows these communities to use their funding as the local match for receiving grants from other federal programs. This will help EZ/EC communities leverage additional resources to undertake economic development initiatives and provide job training and other vital social services.

Mr. LOBIONDO and I have worked hard over the last several years to secure funding for the communities across the nation that were designated as Round II Empowerment Zones and Enterprise Communities. We both know first hand the successes of the EZ/EC program, and we will continue to work together in a bipartisan manner to ensure that these communities are allocated the resources they need to bring economic opportunity to all Americans.

#### INTRODUCTION OF THE CONTACT LENS PRESCRIPTION RELEASE ACT OF 2001

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 26, 2001*

Mr. STARK. Mr. Speaker, today I join with several colleagues to introduce bipartisan legislation, the Contact Lens Prescription Release

Act of 2001. This bill would enhance consumer fairness in the contact lens industry by requiring eyecare professionals to release contact lens prescriptions after completing the fitting process.

Currently, consumers throughout the United States enjoy unobstructed access to their eyeglass prescriptions. That's because back in 1973, the Federal Trade Commission issued a regulation requiring the automatic release of eyeglass prescriptions. Through this regulation, the FTC recognized that possession of both the prescription and the product constituted an unfair advantage for eye doctors and that consumers could safely manage their eyeglass prescriptions.

At the time, it made sense that this rule was not extended to contact lenses, which were a brand new technology. Furthermore, most were hard lenses that needed to be ground and fitted to each particular eye. Today, the contact lens market looks very different. Thirty-four million Americans wear contact lens and 85% of them choose soft contacts.

Contact lenses are fast replacing eyeglasses as the corrective instrument of choice for consumers. Yet despite this trend, in most states, prescribing eye care professionals can refuse to release contact lens prescriptions—even after patients complete the initial fitting process and even to longtime contact lens wearers who simply need their time-limited prescriptions renewed.

Eye doctors cite health concerns, yet the reality is they have a strong financial incentive to restrict consumer access to the contact lens market. Without their contact lens prescription, consumers are often forced to purchase contact lens from their prescribing eye doctor.

With contact lens wearers effectively denied the right to receive their own prescriptions, anti-competitive behavior has flourished. In fact, the American Optometric Association and Johnson & Johnson's, maker of the popular ACUVUE disposable contact lens, just reached a preliminary settlement in an anti-trust lawsuit filed by the attorneys general of 32 states.

The attorneys general alleged that defendants conspired both to force consumers to buy replacement contact lenses from eye care professionals only and to eliminate competition from alternative distributors, including pharmacies, mail-order, and Internet retailers. Contact lens manufacturers CIBA Vision and Bausch & Lomb have previously reached settlement agreements on the same charges.

While the resolution of these anti-trust lawsuits is a step toward putting contact lens wearers on equal footing with eyeglass wearers, more action is needed. Contact lens wearers must be assured the same access to their prescriptions that eyeglass wearers currently enjoy. Yet the FTC has repeatedly failed to update its rule and extend prescription release requirements to contact lenses. This does not bode well for consumers. It means that in many states, people who wear contact lens cannot shop around for the best value and quality products.

In fact, this is exactly what happened to my wife back in 1994. Despite her request, this doctor refused to release her prescription, but was more than happy to sell her contacts through his professional office. At the time, it struck me as fundamentally unfair that eye doctors stand to profit from holding their patients captive. It still does.

My wife's predicament is hardly unique. Over the past few years, Consumers Union has issued several reports detailing similar problems in Texas. A 1997 survey found that 65% of Texas optometrists refused to release contact lens prescriptions upon request, yet 91% of these same individuals did not hesitate to fill a prescription released by another eye doctor. Where are the health concerns here?

The time has more than come for contact lens wearers to enjoy the same rights as eyeglass wearers. The Contact Lens Prescription Release Act would require the FTC to promulgate a prescription release rule for contact lenses paralleling the 1973 rule for eyeglasses. This would require eyecare professionals to release a patient's contact lens prescription to the patient after completing the fitting process. Upon request, contact lens prescriptions must also be released to an agent of the patient, such as an alternate contact lens distributor. Furthermore, eyecare professionals must promptly verify the information contained in a patient's prescription when an agent of the patient contacts them for such verification. To ensure that consumers are protected from misleading advertisements, the contact Lens Prescription Release Act would also make it an unfair trade practice to state or imply that contact lenses can be purchased without a valid prescription.

I encourage my colleagues to join me in support of this important legislation, what has been endorsed by Consumers Union. There is absolutely no reason for the law to be inconsistent relative to vision correction by eyeglasses vs. contact lenses. More fundamentally, there is no reason why any American should be denied the basic right to receive their prescription, whether they wear eyeglasses, contact lenses, or both.

#### NASA GLENN: A REGIONAL ECONOMIC ENGINE

**HON. TOM SAWYER**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 26, 2001*

Mr. SAWYER. Mr. Speaker, Northeast Ohio is home to an outstanding NASA Agency Center bearing the name of one of our nation's true heroes, and our former colleague from the other body, John H. Glenn.

Just as John Glenn was a leader in space exploration, the NASA Glenn Research Center is a leader in aeronautics, space transportation, spacecraft technology, materials science, and even microgravity research.

NASA Glenn is an integral part of the NASA mission. But while it serves a national mission, it also serves as an incubator for industries and ideas throughout the Cleveland-Akron region and the state. The Greater Cleveland Growth Association estimates that the annual statewide spin-off from NASA Glenn comes in at nearly \$1 billion and 12,000 jobs.

In my district, one of the results has been more than 30 grants to the University of Akron, which is itself a national leader in polymer science and engineering. Polymer technology, including nanopolymer technology which builds advanced materials at a molecular level, holds great promise for NASA programs.

From environmentally friendly batteries to vehicle components made from strong, lightweight nanopolymers, there are exciting concepts under development in Ohio. Many of them no doubt will be incorporated into NASA's aeronautics and space programs of tomorrow, thanks to the energy and vision of the NASA Glenn Research Center. Just as important will be the application of these technologies outside of NASA, through its technology transfer function.

We know that creative scientists can invent important technologies and devices when they are charged with a specific goal, such as sending an astronaut to the moon. But I am awed by the following statistic: The NASA Glenn staff have won more of R&D Magazine's R&D 100 awards than the staff of all other NASA agency centers combined. I cannot tell you why there is that much excellence at NASA Glenn. But I can tell you that there are very good things happening in Ohio, and they hold enormous importance for us in ways that perhaps neither the scientists nor we can predict.

The action by the Subcommittee, and particularly my good friend, the gentleman from Ohio (Mr. HOBSON), will be of great assistance to keep NASA Glenn and Ohio on this course set for excellence.

#### TRIBUTE TO TOM BARNES

##### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 26, 2001*

Mr. CALVERT. Mr. Speaker, I rise today to pay tribute to a most wonderful person, friend and father—Tom Barnes—who passed away at the young age of 55 last Wednesday, July 18th.

Calvin Coolidge, America's 13th President, once said, "No person was ever honored for what he received; honor has been the reward for what he gave." And Tom Barnes gave much to his community and the whole of the Inland Empire during his life.

A small piece of heaven just south of Corona, Tom's Farms, was Tom Barnes' gift to countless men, women and children. After years of selling fruit out of the back of his truck, Tom opened Tom's Farms in 1971. In the tradition of Walter Knott of Knott's Berry Farm and the culture of roadside stands, Tom offered tourists traveling through California's Inland Empire fresh fruits, antique furniture and dining all in the picturesque setting of country-style buildings painted yellow with green trim, a lake and the majestic shade of large trees. Today, Tom's Farms remains the perfect family outing and a traditional "must-stop" for anyone heading south on Interstate 15.

His roots take us back to Kansas City, Missouri where Tom got his start in business by selling his father's strawberries door to door. And today, Tom's Farms serves as a proud testimonial to that upbringing where fresh fruit and vegetables, finches and macaws, cheeses and wines, and country and antique furniture is offered for the delight of all who stop and take a moment to enjoy their surroundings. Through present expansion, including the addition of an animal farm, Tom's Farms promises to provide "down-home" enjoyment and family fun for years to come.

Tom Barnes was best known for his business finesse and a dedication to family and community involvement—particularly when it came to supporting local police and fire safety. In fact, for the past two years, Tom offered up Tom's Farms for the Great Taste of Corona, an annual event to raise funds for the police and fire departments. Additionally, Tom's versatility allowed him to expand Tom's Farms in the form of furniture stores in Corona and San Bernardino. He was also co-owner of TB Scott's restaurant in Corona with his best friend Scott Sherman.

Tom is survived by his wife, Leslie, two sons, two daughters and a grandchild. My prayers go out to them for their loss.

Mr. Speaker, looking back at Tom's life, we see a man dedicated to his family and community—an American whose gifts to the Inland Empire and southern California led to the betterment of those who had the privilege to come in contact or work with him. Honoring Tom's memory is the least that we can do today for all that he gave over his lifetime.

#### MOYLAN'S INSURANCE UNDERWRITERS, INC

##### HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 26, 2001*

Mr. UNDERWOOD. Mr. Speaker, thirty years ago, a small company founded on Guam with only three employees was charged with the daunting task of servicing the island's insurance needs. The small company soon blossomed into a thriving business and became a hallmark of professional integrity on Guam—Moylan's Insurance Underwriters Inc.

For the past thirty years, Moylan's has earned the reputation of being the "Home of the Good Guys and Gals" and has been at the forefront in providing insurance services to the people of Guam. Founded in 1971 by Kurt S. and Judith Moylan, the business today has nearly 100 employees with branches in Guam, Saipan, Palau, Pohnpei, Yap, Kosrae, Chuuk and the Marshall Islands.

In 1978, Moylan's acquired Daihan Insurance Underwriters, Inc., General Agent for Korea Reinsurance Corporation from Seoul, Korea and, in 1985, they added the Micronesia Insurance Underwriters (Overseas), a General Agent for the American Home Assurance Company, the New Hampshire Insurance Company and AIG Groups.

In 1997, Moylan's Insurance was named General Agent for the MMI Group. One of Australia's largest general insurers the MMI group is affiliated with some of the largest general insurance companies in the world. In 1998, First Net Insurance Company, a project of Moylan's Insurance Underwriters, Inc. was incorporated as a domestic Property and Casualty company. The company's reinsurance program for the year 2000 is underwritten by Allianz AG out of its regional office in Singapore. Allianz is one of the largest reinsurance and financial services organizations around the world, and is rated by Standard & Poor's as a AAA security, the highest possible rating under S&P's scale.

Through all its subsidiary corporations in Micronesia, Moylan's services a 3,000-mile area that is comparable to the size of the conti-

nental United States. With considerable growth over the past two decades, Moylan's has become a recognized name in insurance within the islands in the Pacific.

Taking time out of his business ventures, founder Kurt Moylan also managed to serve the people of Guam in the political sphere. In 1964, he was elected to the 8th Guam Legislature, the youngest person ever elected to political office on Guam. Two years later, Mr. Moylan, along with Carlos G. Camacho, Judge Vicente G. Reyes and former Governor Joseph Flores formed the Republican Party of Guam. At age 30, he was appointed by President Richard M. Nixon to serve as secretary of Guam, a title equivalent to the title of lieutenant governor of Guam. At 31, Kurt Moylan was sworn in as the first elected lieutenant governor of Guam. He served until 1974. He was also elected to serve in the 16th Guam Legislature in 1980. His son, Kaleo, continued this tradition when he was elected to the 25th Guam Legislature in 1999. He is still serving Guam in this capacity—having been reelected in 2000.

For thirty years now, the island of Guam has reaped great benefits from the services provided by Moylan's Insurance Underwriters Inc. and most especially from the entrepreneurial spirit of its founders Mr. Kurt S. and Judith Moylan, and the entire Moylan family. The people of Guam are grateful for their contributions. I offer my sincerest congratulations to the good guys and gals of Moylan's. I wish them continued success in the years to come.

#### RECOGNIZING THE UNANIMOUS DECISION OF THE NATIONAL LABOR RELATIONS BOARD IN CROWN CORK & SEAL

##### HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 26, 2001*

Mr. BOEHNER. Mr. Speaker, I am pleased to bring to the attention of the House of Representatives, a remarkable and unanimous ruling of the bipartisan National Labor Relations Board—known as Crown Cork & Seal, 334 NLRB No. 92 (July 20, 2001)—that resolves an issue that many of us wrestled with throughout the 1990s. The issue is the legality of workplace teams under which employees work with their employers to resolve on-the-job issues including workplace health and safety, efficiency and productivity, training, and diversity. Prior to the Crown Cork & Seal ruling, there was some ambiguity as to whether these teams may be considered employer-dominated "labor organizations" under the National Labor Relations Act.

Those who were here during the 104th Congress are probably familiar with this issue. Thanks in large part to the efforts of my predecessor as Chairman of the Education and the Workforce Committee, William F. Goodling, and the former Chairman of the Employer-Employee Relations Subcommittee of that Committee, Harris Fawell, the Congress passed legislation—the "Teamwork for Employees and Managers Act" (TEAM)—aimed at addressing the ambiguity that existed. Disappointingly, President Clinton later vetoed that legislation and left the ambiguity in place.

Many of us could not understand why the issue was even contentious. The sham "company unions" which existed during the early